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ART UNIT 2151

SERIAL NO. 09/829,091

FROM:

Paul Im, Agent

**REGISTRATION NUMBER: 50,418** 

## PHILIPS ELECTRONICS NORTH AMERICA CORPORATION P.O. BOX 3001 BRIARCLIFF MANOR, NEW YORK 10510

TELEPHONE: (914) 333-9627

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Fax Operator Natale A. Manzo Legal Assistant to

Paul Im, Patent Agent

## OCT 03 2006

## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional) GB000049

in re Application of: PAUL J. RANKIN, ET AL.

Application No. 09/829,091

Filed: APRIL 9, 2001

For: MESSAGE DELIVERY SYSTEM

The owner, KONINKLIJKE PHILIPS ELECTRONICS N.V. of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. <u>U.S. 6,778,826</u>. The owner hereby agrees that any patent so granted on the Instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the Instant application and is binding upon the grantee, its successors or assigns.

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10/03/2006

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